



Instructions for Completing a Permit Transfer Form

Use these instructions to: 1) complete the Permit Transfer Form DEP-APP-006 and 2) prepare supporting documents. These instructions are not a substitute for the requirements of the relevant statutes and any regulations thereunder. You should review all applicable laws prior to completing this registration. Remember, it is your responsibility to comply with all applicable laws.

Introduction

Pursuant to Section 22a-6o of the Connecticut General Statutes (CGS), no person may act under a Department of Environmental Protection (DEP) license issued to someone else unless such license has been transferred to such a person. A transfer is only effective if DEP notifies the licensee and proposed transferee that the license has been transferred. Under the act, the licensee and proposed transferee must register the proposed transfer of ownership of a licensed facility or activity 30 days prior to the transfer. For the transfer of Resource Conservation and Recovery Act (RCRA) permits, the licensee and proposed transferee must register the proposed transfer of ownership at least 90 days prior to the transfer. Note that no person may conduct an activity requiring a permit from DEP without first obtaining a permit. Please note a transfer of property may also trigger the requirement that the parties file under the property transfer law, CGS Sections 22a-134 through 22a-134e. For further information call the Property Transfer Program at 806-424-3705.

If you are applying for a transfer of a RCRA permit, a National Pollutant Discharge Elimination System (NPDES) permit, or an Air permit, the transfer must be consistent with the requirements of the applicable federal law. Refer to the "Supporting Documents" section of these instructions for specific requirements applicable to the transfer of particular permits.

If DEP determines that the transferee is able to comply with the terms and conditions of the existing

permit, DEP will notify both parties confirming the registration and acknowledging the applicability of the license to the transferee. Upon receipt of DEP approval of the transfer, the new permittee shall comply with all the terms and conditions of the permit transferred for the remaining period of time the existing permit is in effect. Please note, DEP may require information in addition to the Permit Transfer Form to determine whether the transferee can comply with the terms and conditions of the license. The transferee may not conduct the activity without first receiving notice confirming the registration and acknowledging the applicability of the license.

Who Needs to Register?

Any person proposing to transfer a DEP license to another person must submit a *Permit Transfer Form* (DEP-APP-006) and transfer fee to DEP. The permit transfer form may only be used for changes in owners and operators of the licensed activity; if other changes are proposed to the facility, the site, and/or to facility operations, the proposed transferee must also request a permit modification. For further information concerning permit transfers or modifications, please refer to the "Available Resources" section at the end of these instructions for a listing of telephone numbers to contact each program area within the department.

How To Register

Your registration must include the following:

- A *Permit Transfer Form* (DEP-APP-006) and all supporting documents;

- The applicable transfer fee, paid by check or money order, made payable to the “Department of Environmental Protection”.

You must submit the above materials together as a package to:

CENTRAL PERMIT PROCESSING UNIT
DEPARTMENT OF ENVIRONMENTAL PROTECTION
79 ELM STREET
HARTFORD, CT 06106-5127

When submitting your permit transfer form, label your supporting documents as directed on the form and always include, on each document, the licensee’s name as well as the proposed transferee’s name. You should retain a copy of all documents for your files.

For the purpose of completing a *Permit Transfer Form*, the proposed transferee is considered the registrant/applicant.

Permit Transfer Instructions (DEP-APP-006)

Please read the registration form and instructions carefully. They have been designed to obtain specific information and any information that is missing or unclear will cause delays in the review process. If any questions are not applicable to your specific activity, please enter “N/A” in the space provided. If a question or supporting document is only required for specific activities, it will be noted on the registration form and in the instructions.

Please be advised that these instructions are not a substitute for any state or federal statutes or regulations. Be sure to refer to the applicable statutes and regulations while completing your registration form.

Check the “Available Resources” section at the end of these instructions for obtaining additional assistance.

Part I: Permit Type and Fee Information

Please indicate, by checking the appropriate spaces, which permit types are proposed to be transferred. Also indicate the number of permits proposed to be transferred for each permit type. The transfer fee identified on the form must be submitted for *each* permit proposed to be transferred.

Use one permit transfer form when one or more permits are proposed to be transferred to the same owner(s) or operator(s). However, if one or more permits are proposed to be transferred to different owner(s) or operator(s), use a separate form for each permit with a different proposed new owner or operator.

1. In the space provided, indicate the Facility ID number or EPA ID number, if applicable.
2. Identify the permits proposed to be transferred by indicating the permit type, permit number and expiration date of the existing permit. Also indicate the proposed date of transfer for each permit.

Part II: General Information

1. Identify the facility by name or project name and number. The name of the facility should be the name by which the facility is commonly known and/or uniquely identified.

Provide the address of the property at which the permitted activity takes place. Include the street address and municipality. If the property does not have a street number, describe the location in terms of the distance and direction from an obvious landmark such as an intersection with another roadway, a bridge, or a river. For example, “. . . on River Street, approximately 1,000 feet north of its intersection with Bear Swamp Road.”

When completing this part, please use the following standards:

- *Name* - Provide the *full, legal company/firm name*. (If identifying a *corporation* or *limited partnership* registered with the Secretary of the State, fill in the name exactly as it is shown on the registration.) If identifying an *individual*, provide the full legal name (include title and suffix) in the following format: Title (Ms, Dr, etc.); First Name; Middle Initial; Last Name; Suffix (Jr., PE, PhD, etc.).
 - *Phone* - Unless otherwise indicated, the phone number provided should be the number where the individual can be contacted during daytime business hours.
 - *Contact Person* - Provide the name of the specific individual within the company whom DEP may contact.
2. *Licensee* - Fill in the licensee's name, address and phone number exactly as it appears on the existing license or permit. Also fill in the existing permit number associated with each licensee.
 3. *Proposed Transferee* - Fill in the name, address and phone number of the person(s) to whom the permit is being transferred.
 4. *Interest in Property* - Indicate the proposed transferee's *interest* in the property where the permitted activity is located.
 5. *Primary Contact* - If a consultant, engineer, attorney or other individual has been authorized to act for the proposed transferee, complete this section. DEP will direct copies of all correspondence and inquiries to this primary contact.

6. *Attorney* - It is not required that a licensee or proposed transferee be represented by an attorney or any other agent. If you do have an attorney, complete this section.
7. *Property, Facility and/or Site Owner* - Please list the owner of the property, facility and/or site at which the permitted activity is conducted, if different than the proposed transferee.
8. *Facility Operator* - Please list the entity responsible for managing the facility operation, if different than the owner.

Part III: Supporting Documents

All permit transfer forms must include Attachments A through F, unless otherwise noted in these instructions. Place a check mark in the appropriate space by each applicable attachment as verification that all applicable attachments have been submitted. Please label all attachments as referenced in the *Permit Transfer Form* and these instructions and be sure to include the name of the licensee as it exists on the license or permit and the name of the proposed transferee.

See the following page for the Summary of Permit Types and Supporting Documents/Attachments that must be submitted for each type of permit you are proposing to transfer.

Attachment A: Applicant Background Information

A completed Applicant Background Information Form (DEP-APP-008) must be submitted as Attachment A for all permit transfers, except for transfers of permits for solid waste facilities and landfills. For such solid waste permits, the information detailed for Attachment D must be submitted.

Summary of Permit Types and Supporting Documents/Attachments

Permit Types	Supporting Documents/Attachments							
	A Applicant Background Information	B Applicant Compliance Information	C1 Business Information	C2 Financial Assurance	C3 EPA RCRA Part A and Changes to Part B	D Background Info, Business Info	E Waste Transporter Information	F Coastal Permit Information
Air Emissions	•	•						
Water Discharges	•	•						
Inland Water Resources: Diversion, Flood Management, Inland Wetlands & Watercourses, Dam Safety, Stream Channel Encroachment Lines, 401 Water Quality Certification	•	•						
Office of Long Island Sound Program	•	•						•
Waste Transportation	•	•					•	
Solid Waste Facilities		•				•		
Solid Waste Landfills		•				•		
Hazardous Waste TSDF	•	•			•			
CGS Section 22a-454 Waste Facilities	•	•	•	•	•			
RCRA Post Closure	•	•			•			

- Supporting Documents/Attachments required to be submitted for each permit type as part of the Permit Transfer Form

Attachment B: Applicant Compliance Information Form

CGS Section 22a-6m provides for DEP review of an applicant's record of compliance with the environmental laws of Connecticut, any other state, and the federal government. Under the law, DEP may consider the applicant's environmental compliance record, as well as the record of the applicant's principals and any parent companies or subsidiaries, when reviewing a permit application.

All permit transfer forms must include a completed *Applicant Compliance Information Form* (DEP-APP-002) as Attachment B. The form includes a series of questions that the applicant must answer. If you answer yes to any of the questions on this form, you must complete the Table of Enforcement Actions as follows:

1. **Type of Enforcement Action:** Identify each enforcement action as one of the following:
Administrative order (including consent orders)
Judgment, order, or decree
Criminal conviction
2. **Date:** List the date each administrative order was issued or civil or criminal action was commenced.
3. **Jurisdiction:** For each listed enforcement action, indicate whether a state court, a federal court, a state agency or a federal agency was involved. Identify such court or agency.
4. **Case/Docket Number:** List the case or docket number of each enforcement action listed.
5. **Description of Violation:** Provide a brief description of the violation involved in the listed enforcement action and any requirement or penalty imposed as a result of such action.
6. For all listed enforcement actions which did not involve DEP or a Connecticut State Court, DEP may request a copy of the document

initiating the listed enforcement action or a copy of the final judgment or order to be submitted at a later date.

Attachment C: *Submit the following as Attachment C, only if transferring the types of permits indicated below:*

1. **Business Information** (*Submit only for transfer of permits for CGS Section 22a-454 Waste Facilities*)

Facility Ownership, Control and Use

Agreements: The proposed transferee must provide signed copies of any lease, deed or other agreements regarding the ownership, control, or use of the facility. Such documents include but are not limited to the following: land deeds (e.g., warranty deed; certified deed; lease agreement; Schedule A; etc.)

Agreements Between Parties and Service

Agreements and Contracts: Provide copies of all contracts and agreements with markets, users and final disposal sites (e.g., bridge agreements; agreements between the proposed transferee and owner, operator, municipality(s), regional authority, markets, disposal facility(s), other processing facilities, etc.).

Also include an organization chart, which illustrates the relationship among all parties involved in the ownership and management of the facility.

2. **Financial Assurance** (*Submit only for transfer of permits for CGS Section 22a-454 Non-RCRA Hazardous waste facilities*)

Financial assurance mechanisms must be identified and submitted as Attachment C. Acceptable financial assurance mechanisms are discussed in the draft guidance document “Non-RCRA Hazardous CGS Section 22a-454 Waste Facility Standards and Guidance for Commercial Operations” (rev. 6/92).

3. **Completed EPA Application for a Hazardous Waste Permit - Part A and Part B** (Submit only for transfer of: 1) permits for facilities which treat, store or dispose of their own **RCRA** hazardous waste, 2) permits for **RCRA** post closure, and 3) permits for CGS Section 22a-454 **RCRA** Hazardous Waste Facilities)

Please complete and submit an *EPA Application for a Hazardous Waste Permit - Part A*, as Attachment C. Please fill out this form in accordance with its instructions. The EPA application is considered part of this permit transfer form. Please complete and submit any changes to the *RCRA Part B Permit Application and Application Checklist*. The revised permit application must be completed and submitted in accordance with 40 CFR Part 270.40.

Attachment D: *Submit Attachment D only for transfer of permits for Solid Waste Facilities*

1. **Background Information** (DEP-WEED-APP-101)

Submit as Attachment D, on the form provided by DEP, background information requested regarding the applicant, owner, and operator of the solid waste facility. If the applicant, owner and operator are different entities, copies of the form must be completed by each entity.

2. **Business Information**

Submit as Attachment D, the following business information for each facility. If you are transferring more than one permit for multiple facilities located on the same site, be sure to identify the solid waste facility type that you are referring to on each document.

Financial Stability Information: Include a detailed statement from a Certified Public Accountant which demonstrates the financial capacity of the applicant to develop and operate the project in a manner consistent with Connecticut environmental laws and standards.

With respect to the costs of financing, design, construction and start-up of the proposed facility, provide the following information:

- a. Estimated cost and identification of the source of funds for each facility;
- b. Identification and discussion of the proposed method of financing costs which will not be paid from the applicant's own resources;
- c. For costs to be paid from the applicant's own resources, demonstration that such resources are available (which may include third party assurances);
- d. Has the applicant, or its affiliates, ever implemented a project of comparable magnitude? If so, explain.

If the proposed facility involves one million dollars or more in total capital cost, include a statement from an independent third party, certifying as to the reasonableness of such information.

With respect to the on-going operation of the facility, provide the following information:

- a. An estimate of the cost of operating and maintaining the facility, and a discussion of the source of revenues to pay such costs;
- b. A discussion of the financial capacity of the applicant to properly operate the facility, and the proposed method of addressing potential, unexpected costs associated with environmental compliance, breakdowns, malfunctions and related events;
- c. If other parties will be responsible for the operation of the facility, demonstrate the ability of such parties to meet the financial capacity to do so.

Land Ownership Documents: In accordance with RCSA Section 22a-209-4(b)(1), the applicant must provide signed copies of any lease, deed or other agreements regarding the ownership, control, or use of the facility by the applicant. Such documents include but are not limited to land deeds (e.g., warranty deed; certified deed; lease agreement; etc.).

Agreements Between Parties and Service Agreements and Contracts: Provide copies of all contracts and agreements (e.g., bridge agreements; agreements between the applicant and owner, operator, municipality(s), regional authority, markets, disposal facility(s), other processing facilities, etc.)

(Note: All contracts required by CGS Section 22a-213 and RCSA Section 22a-209-5 involving a municipality must be approved by DEP.)

Organization Chart: Include an organization chart, which illustrates the relationship between all parties involved in the ownership and management of the facility.

Attachment E: *Submit Attachment E only for transfer of permits for Waste Transporters*

1. ***List of Transporter Permits Held in Other States*** (DEP-WEED-APP-401)

Submit as Attachment E, on the form provided by DEP, a list of all permits held by the applicant in other states for the transportation of regulated wastes. Please identify the type of permit, the state that issued the permit, the permit number and the expiration date.

2. ***Certification of Insurance***

Submit as Attachment E, Certification of Insurance which includes:

- an original Certificate of Insurance listing the Connecticut Department of Environmental Protection, Bureau of Waste Management,

79 Elm Street, Hartford, CT 06106-5127 as a certificate holder; and

- an MCS-90 Endorsement to the policy(ies) identified on the Certificate of Insurance to verify that the applicant has met the minimum levels of financial responsibility as required by 49 CFR Part 387.

3. ***Supplemental Application for Spill Clean-up Contractors*** (DEP-WEED-APP-406)

If you are applying for a transfer of a Spill Contractor Permit, submit as Attachment E, on the form provided by DEP, a completed Spill Clean-up Contractor Application. Remember that if you are transferring a Spill Contractor Permit, you must also transfer the corresponding Hazardous Waste Transporter Permit.

4. ***Additional Applicant Information***

If the applicant is a corporation, submit as Attachment E the date, city and state of incorporation, and list the names, titles and addresses of all corporate officers.

If the applicant, including all partners and corporate officers, engages in other activities or owns other companies that transport, treat, store, recover, or dispose of oil and chemical waste, hazardous waste, and/or biomedical waste, submit as Attachment E identification of the owners of such companies or activities, the name of the company, the company address and the type of activities performed.

Attachment F: *Submit Attachment F only for transfer of permits administered by OLISP pursuant to statutes regulating work in tidal, coastal or navigable waters or tidal wetlands*

1. Submit as portion of Attachment F, a copy of the permit drawings identifying the components of the project that have been completed and the portion of the project or work elements that remain to be conducted. If you do not have a

copy of the approved drawings, please contact the Office of Long Island Sound Programs to obtain a copy.

2. Submit as portion of Attachment F, photographs of the project site or other demonstration (e.g., as built drawings) that the work authorized and completed has been constructed/conducted in accordance with the permit. If the work authorized consisted of dredging, provide a current bathymetric survey of the dredged area.

Part IV: Registration Certification

After the permit transfer form and all supporting documents have been completed they must be reviewed and signed by both the licensee(s) and the proposed transferee(s) and the individual(s) who actually prepared the registration. By their signature, they certify that to the best of their knowledge and belief the information contained in the registration form, including all attachments, is true, accurate and complete.

The certification of the registration package must be signed as follows:

1. For an individual(s) or sole proprietorship, by the individual(s) or proprietor, respectively;
2. For a corporation, by a principal executive officer of at least the level of vice president;
3. For a partnership, by all general partners;
4. For a municipal, state, or federal agency or department, by either a principal executive officer or a ranking elected official or by other representatives of such registrant authorized by law.

A registration will be considered insufficient unless all required signatures are provided.

Available Resources

For further assistance in transferring permits, contact the following:

Program	Phone
Air Emissions	860-424-4152
Water Discharges	860-424-3018
Inland Water Resources	860-424-3019
Office of Long Island Sound Program	860-424-3034
Waste Transportation	860-424-3372
Solid Waste Facilities (includes landfills)	860-424-3366
Section 22a-454CGS Waste Facilities	860-424-3372
Hazardous Waste TSDF	860-424-3372
RCRA Post Closure	860-424-3372
Permit Assistance Office	860-424-3003